

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, MAY 23, 2005 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

=== LEGISLATIVE SCHEDULE ===

Special Orders of Business

ITEM-30: Second Chance Day.
COUNCILMEMBER MAIENSCHIEIN’S RECOMMENDATION: Adopt
the resolution.

ITEM-31: Approval of Council Minutes.

NON-AGENDA PUBLIC COMMENT

Non-agenda public comment is taken on Tuesday pursuant to the San Diego Municipal Code Section 22.0101.

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the **Closed Session Agenda for Monday, May 23, 2005, scheduled to commence immediately following the conclusion of the regular open session meeting that day. The Closed Session may continue into Tuesday, May 24, 2005.**

NOTE: Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the closed session item number from the Closed Session Docket on the speaker slip. Speakers may speak “in favor” or “in opposition” to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in closed session 4) Refer matters discussed to closed session.

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Adoption Agenda, Consent Items

- ITEM-100: Kensington Manor No. 1 Street Light Circuit Upgrade. (Kensington-Talmadge Community Area. District 3.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-101: Cost Allocation of Closed Circuit Television (CCTV) Inspection and Assessment Contracts.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-102: High Intensity Drug Trafficking Area Consolidated Priority Organization Targeting Program (CPOT).
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-103: Agreement with Dudek and Associates, Inc. for Biological Consulting Services for the Metropolitan Wastewater Department.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-104: Second Amendment to Agreement with Weston Solutions, Inc. for As-Needed Wet Weather Monitoring Services. (Pacific Beach Community Area. Districts 1 and 2.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-105: Grant of Easement to San Diego Gas & Electric Company for Scripps Lake Drive 20SD Conversion. (Scripps Miramar Ranch Community Area. District 5.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.
- ITEM-106: Smart Growth Month.
MAYOR MURPHY'S RECOMMENDATION: Adopt the resolution.
- ITEM-107: San Diego Youth Pride Day.
COUNCILMEMBER ATKINS' RECOMMENDATION: Adopt the resolution.
- ITEM-108: Traffic Signal on Harbor Drive and B Street. (Centre City Community Area. District 2.) ITY MANAGER'S RECOMMENDATION: Adopt the resolution.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Adoption Agenda, Consent Items (Continued)

ITEM-109: Establishment of an Angle Parking Zone on Irving Avenue. (Southeastern San Diego Community Area. District 8.)
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-110: Appointments and Reappointments to the Balboa Park Committee.
MAYOR MURPHY'S RECOMMENDATION: Adopt the resolution.

ITEM-111: Excusing Councilmember Zucchet from the Rules, Finance, and Intergovernmental Relations Meeting of April 20, 2005.
COUNCILMEMBER ZUCCHET'S RECOMMENDATION: Adopt the resolution.

Public Notices

ITEM-250: **Notice** of Pending Final Map Approval – Carmel Valley Neighborhood 10 Unit 14 South.
CITY MANAGER'S RECOMMENDATION: Adopt the resolution.

ITEM-251: **Notice** of Pending Final Map Approval – Pacific Highlands Ranch Unit No. 12.

ITEM-252: **Notice** of Completion and Acceptance of Subdivision Improvement Agreement - Carmel Valley NBHD 10 Unit No. 1; California Terraces Phase 1; Black Mountain Ranch Unit No. 11; Country Club Villas of La Jolla; Villa at Stallion Crossings.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

SPECIAL ORDERS OF BUSINESS

ITEM-30: Second Chance Day.

COUNCILMEMBER MAIENSCHIN'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1189)

Recognizing the vital services that Second Chance has provided the citizens of San Diego;

Proclaiming May 23, 2005, to be "Second Chance Day" in the City of San Diego.

ITEM-31: Approval of Council Minutes.

TODAY'S ACTION IS:

Approval of Council Minutes for the meetings of:

04/18/2005

04/19/2005

04/25/2005

04/26/2005

NON-AGENDA PUBLIC COMMENT

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COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

ADOPTION AGENDA, CONSENT ITEMS

The following listed items are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to or at 2:00 p.m.

RESOLUTIONS TO BE ADOPTED:

Items 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, and 111.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-100: Kensington Manor No. 1 Street Light Circuit Upgrade.

(Kensington-Talmadge Community Area. District 3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1184)

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$370,000, from Fund 10440, Street Division Operating Fund, to Fund 104402, Street Division-Capital Improvement Fund to Fund CIP-52-293.0, Street Lights-Citywide for the purpose of upgrading the existing street light circuits in the Kensington Manor No. 1 District;

Authorizing the City Manager to increase by \$370,000 the Fiscal Year 2005 Capital Improvements Program Budget in CIP-52-293.0, Street Lights-Citywide, in Fund 104402, Street Division Capital Improvement Fund;

Authorizing the City Auditor and Comptroller to appropriate and expend \$370,000 from CIP-52-293.0, Street Lights-Citywide, Fund 104402, Street Division Capital Improvement Fund, for the purpose of upgrading the existing street light circuits in the Kensington Manor No.1 district, contingent upon the City Auditor and Comptroller certifying that said funds are on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Declaring this action is exempt from the California Environmental Quality Act because this action is the repair and maintenance of existing mechanical equipment or structures or as the replacement of existing structures.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-100: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

This project will upgrade the street lighting circuits for 41 existing street lights in the Kensington Manor No. 1 district within the Kensington-Talmadge area (see location map). The existing “series-style” street light electrical circuits are badly deteriorated and are in constant need of repairs. This project will upgrade the existing circuit into the “multiple-style” circuit that is now the standard for street lighting projects. These improvements will result in a more modern and efficient system that will require less maintenance and be more reliable. As part of this project, 14,500 linear feet of underground conduits will be installed. This work will include trenching, placing of new conduit, new electrical cables, pull boxes, and replacement of street light fixtures. The total estimated cost for this project is \$370,000. All trenching will be in areas previously disturbed for the installation of various other utilities.

FISCAL IMPACT:

The total estimated project cost is \$370,000. The General Services Department is providing \$370,000 as a transfer from their operating budget, Fund 104402, Job Order 008600 for this project.

Mendes/Boekamp/DVW

Aud. Cert. 2500965.

Staff: Van Wanseele – (619) 533-3012
Tim Miller – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-101: Cost Allocation of Closed Circuit Television (CCTV) Inspection and Assessment Contracts.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1148)

Authorizing the City Auditor and Comptroller to transfer the funds and the expenditure of a total of \$2,629,948 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation Infrastructure Upgrade and Replacement, Metropolitan Wastewater Department Trunk Sewer Televising Project to the following, for CCTV inspection costs related to Lee and Ro Consulting Engineers, Inc., as follows:

- (a) \$254,800 to Fund 41506, CIP-40-9330, Annual Allocation – MWWD Trunk Sewers, Belt Street Trunk Sewer #81 Project;
- (b) \$1,060,665 to Fund 41506, CIP-44-001.0, Annual Allocation – Sewer Replacements (See spreadsheet attachment for Lee and Ro for breakdown of sub-projects);
- (c) \$300,569 to Fund 41506, CIP-46-194.0, Annual Allocation - Trunk Sewer Rehabilitations, \$3,823 for Palm City Trunk Sewer, and \$296,746 for EMG Interceptor (Grantville Trunk Sewer);
- (d) \$249,090 to Fund 41506, CIP-46-162.1, East Linda Vista Trunk Sewer Phase II;
- (e) \$611,690 to Fund 41506, CIP-46-197.0, Sorrento Valley Trunk Sewer; and
- (f) \$153,134 to Fund 41506, CIP 46-198.0, UCSD Trunk Sewer;

Authorizing the City Auditor and Comptroller to transfer the funds and expenditure of \$3,545,666 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation – Infrastructure Upgrade and Replacement, Metropolitan Wastewater Department Sewer Main Televising Project for the CCTV inspection and assessment cost related to Hirsch and Company to Sewer Fund 41506, CIP-44-001.0, Annual Allocation – Sewer Replacement (See spreadsheet attachment for Hirsch for breakdown of sub-projects).

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-101: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

On April 23, 2001, City Council approved the contract with Lee & Ro, Incorporated, for the closed circuit television (CCTV) inspection and assessment of approximately 88 miles of trunk sewer pipelines and about 5,400 sewer manholes (RR-294797). Lee & Ro's contract ended on May 24, 2002. Also on April 23, 2001, City Council approved the contract with Hirsch and Company for the CCTV inspection and assessment of approximately 90 miles of sewer main pipelines and about 2,800 manholes (RR-294798). Hirsch and Company's contract ended on March 26, 2003. The City budgeted and expended CIP funds for both of these inspection contracts.

Using the inspection and assessment information, City Staff created forty (40) capital improvement program (CIP) projects that will replace or rehabilitate more than half of the inspected sewer pipelines and manholes. Many of these projects are currently in design. To properly capitalize the inspection work used to create the CIP projects, MWWDD will allocate the proportional cost of the inspection work to the corresponding project created from the inspection results.

This action reallocates the existing budget and expenditures related to the inspection work to each CIP funded project generated by the inspection and assessment results. This action results in no increase to the overall CIP budget.

FISCAL IMPACT:

There will be no additional fiscal impact as a result of this action.

Mendes/Tulloch/DG

Staff: Dean Gipson – (858) 292-6480
James W. Lancaster – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-102: High Intensity Drug Trafficking Area Consolidated Priority Organization Targeting Program (CPOT).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-759)

Authorizing the City Manager to accept and expend funds from the County of El Paso, award recipient of 2003 CPOT funds, for the purpose of supporting operations of, and supplies and equipment for use by regional California Border Alliance Group (CBAG) members;

Authorizing the Chief of Police to approve expenditures for operations of and supplies and equipment for use by the regional CBAG task force members, to act as sub recipient for the CPOT funds, and to enter into any agreements necessary to accept, manage, and expend the funds;

Authorizing the City Manager to execute all aspects of grant operation including any amendments, extensions, renewals, or future funding for this program for a period of up to five years, provided funding is made available by the United States Department of the Treasury or the Office of National Drug Control Policy for purposes in compliance with the original grant, and to certify that the City will comply with all applicable statutory or regulatory requirements related to said grant;

Declaring that any resources received hereunder shall not be used to supplant expenditures controlled by this body.

CITY MANAGER SUPPORTING INFORMATION:

The Office of National Drug Control Policy (ONDCP), in cooperation with state, local and federal agencies, has formed the High Intensity Drug Trafficking Areas (HIDTA) Southwest Border Region. This HIDTA is subdivided into five sub-regions, of which San Diego and Imperial Counties are one. This sub-region is known as the California Border Alliance Group (CBAG).

Federal funding is available from ONDCP to fund drug-trafficking interdiction initiatives within the CBAG sub-region. Federal, state, and local law enforcement agencies within the sub-region form task forces for the purposes of these initiatives.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-102: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Supplemental funds have been authorized for the Consolidated Priority Organization Targeting (CPOT) program and have been awarded to the County of El Paso. The funds are being allocated to five sub recipients, one of which is CBAG. The San Diego Police Chief has served as the single fiscal agent for CBAG for the past nine years. As such, CBAG has requested that the City of San Diego Police Department function as sub recipient on their behalf. This will involve processing reimbursement requests from participating agencies, receiving funds to reimburse the participating agencies, paying these funds to the agencies, and procuring items as appropriate per the terms of the agreement. The City is compensated by receiving 1.5% of the funds reimbursed through the City. These segregated funds are used to compensate both the City Auditor and the Police Department for efforts on behalf of the 2003 CPOT program.

Resolution R-294767, adopted on April 16, 2001, authorizes the City Manager to accept and expend funds received from ONDCP in support of the CBAG participating agencies and to execute all aspects of grant operation for a period of five years. In addition, it authorizes the Chief of Police to approve expenditures for operations of and supplies and equipment for use by the regional CBAG participating members. It is requested that all authorizations contained in Resolution R-294767 be authorized for the 2003 CPOT sub recipient funds until fully expended.

FISCAL IMPACT:

Funded by the Anti-Drug Abuse Act of 1988, and administered by the Executive Office of the President, Office of National Drug Control Policy, the grant provides federal funds to compensate the City for serving as fiduciary and reimburses the San Diego Police Department for hours and costs associated with participation in applicable CPOT operations. The City will be paid 1.5% of the amount reimbursed. There are no requirements for ongoing programs or expenses after the end of the grant. No cash match is required.

Ewell/Lansdowne/JWF

Staff: Jim Flory – (619) 533-5788
Mary T. Nuesca – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-103: Agreement with Dudek and Associates, Inc. for Biological Consulting Services for the Metropolitan Wastewater Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1112)

Authorizing the City Manager to execute an agreement with Dudek and Associates, Inc. (the Agreement), for biological consulting services for the Metropolitan Wastewater Department, for a term of three years under the terms and conditions set forth in the Agreement;

Authorizing the expenditure of an amount not to exceed \$1,000,000 from Sewer Funds 41506, 41508 and 41509, for the purpose of providing funds for the above Agreement;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Metropolitan Wastewater Department (MWWD) proposes to enter into an agreement with Dudek and Associates, Inc., to provide biological consulting services for MWWD for a duration of three years and at a not-to-exceed amount of \$1,000,000. MWWD's current contract for biological services is nearing completion and a continued need for biological services in support of departmental activities is required. MWWD advertised and requested proposals for the 2005-2008 Biological Services contract in December 2004. Seven proposals were received and a selection committee in compliance with City Council Policy 300-7 was convened. Three companies were short listed and all gave presentations on March 10, 2005. Dudek and Associates, Inc., a privately owned California corporation, was chosen as the most qualified firm.

The biological services consultant will work with MWWD to implement the City's sewer inspection, cleaning, televising, maintenance, and rehabilitation programs to meet the Mayor's Goal #4, Clean Up Our Beaches and Bays, and to comply with the Environmental Protection Agency's Administrative Order. Access for maintenance and construction activities in the environmentally sensitive areas is often limited, requiring the need for biological expertise to help minimize or avoid impacts to sensitive habitats.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-103: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Work to be performed requires biological regulatory expertise to ensure that MWWD complies with the California Environmental Quality Act (CEQA), the Clean Water Act, Endangered Species Act, as well as other applicable federal, state, and local environmental regulations. The biological consultant will provide full biological technical support for operations & maintenance activities, canyon sewer redirection of flow studies, and assist with other ongoing Capital Improvement Projects.

MWWD anticipates ongoing needs for general and species specific biological surveys, most which require the possession of specialty licenses such as Gnatcatcher, Least Bell's Vireo, and Quino Checkerspot Butterfly. Other tasks anticipated include preparation of biological impact reports; mitigation, monitoring, and reporting plans (MMRP's); revegetation and habitat restoration plans and specifications; preliminary biological constraints analyses and reports; perform construction monitoring; and conduct GIS mapping. Qualified biologists with specialized licenses to perform endangered species surveys, to prepare compliant revegetation plans, and to staff a highly variable workload are required for this work. Currently, MWWD, DSD, and Planning Departments do not have a sufficient number of staff necessary to perform these services, nor are we equipped with staff having necessary expertise and licensing to comply with all the regulatory requirements and permits for these projects.

MWWD is engaged in a comprehensive Canyon Sewer Cleaning and Repair Program, and the vast majority of this work is located within local canyons with sensitive habitat. We often have a 5-8 consulting biologists working at anyone time. As such, the use of a Biological consultant affords MWWD the ability to have access to licensed specialists on an as-needed basis, which allows for a cost-effective, timely, and flexible approach in meeting any regulatory requirements.

FISCAL IMPACT:

This request is for \$1,000,000 from Sewer Funds 41506, 41508, and 41509.

Mendes/Tulloch/CME

Aud. Cert. 2500923.

Staff: Mike Elling – (858) 292-6477
James W. Lancaster – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-104: Second Amendment to Agreement with Weston Solutions, Inc. for As Needed Wet Weather Monitoring Services.

(Pacific Beach Community Area. Districts 1 and 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1188)

Authorizing the City Manager to execute a Second Amendment to the Agreement with Weston Solutions, Inc. (formerly known as MEC Analytical Systems, Inc.) for as-needed wet weather monitoring services, to increase the authorized expenditure by \$250,000 under the terms and conditions set forth in the Second Amendment, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement;

Authorizing the City Manager to issue a task order to Weston Solutions, Inc., under the as-needed wet weather monitoring services agreement (as amended), for services related to Identification of Bacterial Sources at PB Point, not to exceed \$250,000;

Authorizing the expenditure of an amount not to exceed \$250,000 from Sewer Fund 41506, Dept. 776, Org. 455, J.O. 776280, O.A. 4151, to provide funds for the above task order;

Authorizing the City Auditor and Comptroller to transfer excess funds, if any, to the appropriate reserves upon advice from the administering department.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego, Storm Water Pollution Prevention Division entered into an As Needed Agreement with MEC - Weston Solutions, Inc., formerly known as MEC Analytical Systems, Inc. (RR-294115, filed November 14, 2000), to provide professional engineering and laboratory services for compliance with the San Diego Regional Water Quality Control Board (RWQCB) for a cost not to exceed \$1,000,000 per fiscal year. The City is currently in the fifth year of the five year agreement.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-104: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

This amendment will increase the not to exceed amount to \$1,250,000 for the current fiscal year. The Metropolitan Wastewater Department has requested MEC - Weston Solutions services to identify sources of bacterial contamination impacting the receiving waters at Pacific Beach (PB) Point. PB Point has experienced chronic exceedances of State bacterial standards. MEC has extensive experience with source studies, including the recent completion of the Mission Bay Source Identification Study funded by the State Clean Beaches Initiative. This contract amendment is necessary in order to complete the required work by the settlement deadlines.

For Fiscal Year 2005, MEC has already been authorized to perform as needed monitoring services for the Mission Bay Central Computerized Irrigation System grant project, the Integrated Pest Management (PRISM) grant project, the Chollas Creek Enhancement grant project, the San Diego Bay Common Ground grant project, and special studies for the Storm Water Pollution Prevention Division (Dry Weather Monitoring, Regional Harbor Monitoring, Chollas Creek diazinon monitoring, and Switzer Creek sediment analysis).

FISCAL IMPACT:

Funds are available for this study from the Metropolitan Wastewater Sewer Fund 41506, Department 776.

Mendes/Ferrier

Aud. Cert. 2500956.

Staff: Ruth Kolb – (619) 525-8647
Thomas C. Zeleny – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-105: Grant of Easement to San Diego Gas & Electric Company for Scripps Lake Drive 20SD Conversion.

(Scripps Miramar Ranch Community Area. District 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-716)

Authorizing the City Manager, or designee, to execute a deed conveying to San Diego Gas & Electric Company, an easement to be used for underground electrical transmission and distribution facilities and appurtenances and related purposes, along a portion of Scripps Lake Drive, affecting portions of the following two parcels owned by the City, described as follows:

1. Section 33, Township 14 South, Range 2 West, SBBM, specifically Lot 194 of McMillin Scripps Two Unit No. 4, according to Map thereof No. 9504, filed December 26, 1979 as File No. 79-53723-1, (1 site containing 185.7 square feet), and Lot 194 of Scripps Lake View Unit No. 1, according to Map No. 8763, filed December 29, 1977, as File No. 77-537523, (2 sites containing 89.4 and 368.2 square feet), in the Office of the County Recorder of San Diego County;
2. Section 32, Township 14 South, Range 2 West, SBBM, specifically Lot 12 of Scripps Ranch Business Park Phase III according to Map thereof No. 12130, filed July 27, 1988 as File No. 88-366238, (4 sites, containing 152.9, 328.9, 156.1, and 155.9 square feet), in the Office of the County Recorder of San Diego County; all as set forth in the easement Deed with attached legal descriptions and maps on file in the Office of the City Clerk.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Gas & Electric Company (SDG&E) has requested an easement for underground facilities affecting two City parcels at seven sites along an approximately 3,200 foot segment of Scripps Lake Drive. The easement will provide the necessary rights for SDG&E to convert existing overhead distribution facilities to underground facilities. The total area of the seven sites is approximately 1,455 feet.

The easement has been valued by an independent appraiser, and verified by City valuation staff to be \$655.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-105: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Since this project is a 20SD conversion, the cost of which is paid by the City, and it benefits the Scripps Miramar Ranch community, no compensation is requested for the easement. An easement processing fee of \$1,590 has been charged.

FISCAL IMPACT:

Processing fee of \$1,590 will be deposited to Fund 100.

Herring Griffith/ACG

Staff: Chris Hargett – (619) 236-6766
Elisa A. Cusato – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-106: Smart Growth Month.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1190)

Recognizing the efforts of the Urban Land Institute in advancement of Smart Growth;

Proclaiming June 2005 to be "Smart Growth Month" in the City of San Diego.

* ITEM-107: San Diego Youth Pride Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2005-1193)

Commending San Diego Youth Pride for their commitment to San Diego's lesbian, gay, bisexual, and transgender (LGBT) youth community and congratulating them on their third annual Youth Pride celebration;

Proclaiming May 14, 2005, to be "San Diego Youth Pride Day" in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-108: Traffic Signal on Harbor Drive and B Street.

(Centre City Community Area. District 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1169)

Authorizing the City Manager to enter into a Memorandum of Understanding (MOU), with the San Diego Unified Port District for the installation of a pedestrian traffic signal on Harbor Drive at B Street (Project) and to accept an amount not to exceed \$165,000 from the San Diego Unified Port District for the construction and related administrative costs of the Project;

Authorizing the City Manager to accept said funds pending receipt of the fully executed MOU;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the funds to be deposited by the San Diego Port District;

Amending the Fiscal Year 2005 Capital Improvements Program Budget for CIP-68-010.0, Traffic Signals - Citywide, San Diego Unified Port District Funds, by increasing the budget amount by \$165,000, contingent upon the receipt of a fully executed MOU;

Authorizing the appropriation and expenditure of an amount not to exceed \$165,000 from CIP-68-010.0, Traffic Signals - Citywide, San Diego Unified Port District Funds, contingent upon the receipt of a fully executed MOU and provided that the City Auditor and Comptroller first furnishes a certificate certifying that funds necessary for expenditures are on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-108: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

The pedestrian traffic signal on Harbor Drive and B Street is a joint effort between the City of San Diego and the San Diego Unified Port District. This project will improve the safety of pedestrian crossing on Harbor Drive to Harbor Walk Way and is in response to the need for a controlled crosswalk. It will provide an accessible pedestrian crossing on Harbor Drive between Ash Street and Broadway. The new traffic signal installation will include new crosswalk, audible signal heads, pedestrian push buttons, and curb ramps.

The total cost for this project is estimated not to exceed \$190,000. The City is contributing \$25,000 in TransNet funding for design services. The San Diego Unified Port District is providing funding for all construction costs, including the City's construction management costs and construction related surveying.

FISCAL IMPACT:

The estimated total project cost is \$190,000. The estimated cost of design is \$25,000; for which funds are available in CIP-68-010.0, Traffic Signal at Harbor Drive and B Street (Job Order 681075). Funds for construction will be made available through the M.O.U. with the San Diego Unified Port District.

Mendes/Boekamp/DVW

Staff: Van Wansalee – (619) 533-3012
Susan Y. Cola – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-109: Establishment of an Angle Parking Zone on Irving Avenue.

(Southeastern San Diego Community Area. District 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1170)

Authorizing the installation of angle parking on the north side of Irving Avenue between 28th Street and Sicard Street, pursuant to the authority conferred by and in accordance with the provisions of the San Diego Municipal Code Section 86.03;

Authorizing the installation of the necessary signs and markings to be made on said street; the regulations hereinabove imposed shall become effective upon the installation of such signs;

Declaring this action is exempt from the requirements of the California Environmental Quality Act because this action is the minor alteration of an existing facility.

CITY MANAGER SUPPORTING INFORMATION:

This action will authorize the City Manager to install an angle parking zone on the north side of Irving Avenue between 28th Street and Sicard Street. This action is in accordance with San Diego Municipal Code Section 86.03. Irving Avenue is a residential street. The residents expressed concern with shortage of parking on this block of Irving Avenue. They submitted a petition signed by 74% of the inhabited fronting residents. Field survey by staff indicated that there is sufficient room for angle parking on the north side of the street. This action will result in a gain of five parking spaces. Therefore, angle parking is recommended.

In addition, the Southeastern San Diego Planning Committee voted to support this action on January 10, 2005.

FISCAL IMPACT:

Fiscal impact is \$850. Funds are available in the Street Division budget for this purpose.

Mendes/Boekamp/DVW

Aud. Cert. 2500972.

Staff: Deborah Van Wanseele – (619) 533-3012
Tim Miller – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-110: Appointments and Reappointments to the Balboa Park Committee.

(See memorandum from Mayor Murphy dated 5/11/2005, with resumes attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1195)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as members of the Balboa Park Committee, for terms ending as indicated:

<u>NAME</u>	<u>TERM ENDING</u>	<u>NOMINATED BY</u>
Sungill Kim (Normal Heights, District 8) (Replacing Joe Silverman, whose term expired)	March 1, 2007	Balboa Park/Morley Field Rec Council
Michael L. Singleton (Mission Hills, District 2) (Replacing Warren Simon, whose term expired)	March 1, 2007	Uptown Planners Rep.
Donald E. Steele (Clairemont, District 6) (Replacing Jeffery Tom, who resigned)	March 1, 2006	Councilmember Toni Atkins
Laurie A. Burgett (Golden Hills, District 3) (Reappointment)	March 1, 2007	Golden Hills Planning Committee Rep.
Jeffrey W. Kirsch, Ph.D. (La Jolla, District 1) (Reappointment)	March 1, 2007	Balboa Park Association - Large Institutions Rep.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-110: (Continued)

<u>NAME</u>	<u>TERM ENDING</u>	<u>NOMINATED BY</u>
Nancy Ann Rodriguez (Encanto, District 4) (Reappointment)	March 1, 2007	Balboa Park Association - Small Institutions Rep.
Rear Admiral Eustine Paul Rucci (Point Loma, District 2) (Reappointment)	March 1, 2007	Councilmember Toni Atkins
Vicki Granowitz (North Park, District 3) (Reappointment)	March 1, 2007	North Park Planning Committee Rep.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-111: Excusing Councilmember Zucchet from the Rules, Finance, and Intergovernmental Relations Meeting of April 20, 2005.

COUNCILMEMBER ZUCCHET'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1183)

Excusing Councilmember Michael Zucchet from attending the regularly scheduled Rules, Finance, and Intergovernmental Relations meeting of April 20, 2005.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: Notice of Pending Final Map Approval – Carmel Valley Neighborhood 10 Unit 14 South.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “Carmel Valley Neighborhood 10 Unit 14 South” (T.M. No. 93-0141/PTS No. 32414), located northeasterly of Carmel Mountain Road and East Ocean Air Drive in the Carmel Valley Community Plan Area in Council District 1, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-251: **Notice** of Pending Final Map Approval – Pacific Highlands Ranch Unit No. 12.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “Pacific Highlands Ranch Unit No. 12” (T.M. No. 1693/PTS No. 43923), located southwesterly of Del Mar Heights Road and Carmel Valley Road in the Pacific Highlands Ranch Community Plan Area in Council District 1, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-252: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION**COMMUNITY AREA**

Carmel Valley NBHD 10 Unit No. 1
California Terraces Phase 1
Black Mountain Ranch Unit No. 11
Country Club Villas of La Jolla
Villa at Stallion Crossings

Carmel Valley
Otay Mesa
Carmel Valley
La Jolla
North City Urbanizing Area

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director of Development Services or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

NON-DOCKET ITEMS**ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES****ADJOURNMENT**